

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

Request for Modifying the Conditions or Term of Supervision without Consent of the Offender

Name of Offender: Joseph Maze

Case Number: 1:07CR00170-01

Name of Sentencing Judicial Officer: The Honorable Robert J. Jonker
Chief U.S. District Judge

Date of Original Sentence: December 22, 2008

Original Offense: Count 1: Possession With Intent to Deliver More Than Five Grams of Cocaine Base,
21 U.S.C. § 841(a)(1) and (b)(1)(B)(iii)

Original Sentence: 240 months imprisonment and 10 years supervised release. Special Conditions: (1) financial disclosure; (2) substance abuse testing and treatment; (3) work toward general equivalency diploma; (4) mental health treatment. Special Assessment, \$100.00 (paid). Fine, \$5,000.00 (paid).

Type of Supervision: Supervised Release

Date Supervision Commenced: May 4, 2020
Expiration Date: May 3, 2030

PETITIONING THE COURT

To modify the conditions of supervision by removing Special Condition 4:

4. The defendant shall participate in a program of mental health treatment, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer, and shall pay at least a portion of the cost according to his/her ability as determined by the probation officer.

CAUSE

Mr. Maze commenced supervised release on May 4, 2020. He released to his wife's residence in Grand Rapids, Michigan, and has not incurred any formal noncompliance. Upon release, Mr. Maze was provided instructions to obtain a mental health evaluation in order to comply with his conditions of release. Due to confusion on Mr. Maze's behalf, he instead obtained a substance abuse evaluation at one of the probation office's contracted providers and attended several substance abuse sessions. It appears some of this confusion was also on behalf of the provider due to the Covid-19 pandemic. During the substance abuse evaluation and subsequent sessions, no mental health concerns were noted.

Mr. Maze has no documented history of mental health issues and has not exhibited any necessity for mental health treatment while incarcerated in the Bureau of Prisons (BOP) or while on supervised release.

He has also denied a need for any treatment services. Overall, Mr. Maze has done fair on supervised release and seems to be stable and have a supportive home environment. For these reasons, it is respectfully recommended the terms of supervised release be modified to remove Special Condition Number 4.

Previous Violations

- None

U.S. Probation Officer Action:

A Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release, is not attached as the recommended modification is less restrictive for Mr. Maze.

Approved,

Respectfully submitted,

by /s/ Scott M. Lopofsky
Scott M. Lopofsky
Supervisory U.S. Probation Officer
Date: December 14, 2020

by /s/ Thomas W. Mize
Thomas W. Mize
U.S. Probation Officer
Date: December 14, 2020

THE COURT ORDERS:

- ☐ No Action
- ☐ The Modification of Conditions as Noted Above
- ☒ Other : The Court is not willing to remove this. The Court imposed the condition based on the Court's own interactions with defendant through a case culminating in jury trial. The absence of documented mental health history was part of the problem. In particular, the court was concerned defendant suffered from undiagnosed and untreated mental health problems. Maybe there will be no diagnosis, but there should at least be an assessment, especially considering long struggles with learning disabilities and related issues.

/s/ Robert J. Jonker
The Honorable Robert J. Jonker
Chief U.S. District Judge

December 17, 2020
Date